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**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P.O. Box 68
Kremmling, CO 80459**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-120-2009-0022-CX

PROJECT NAME: Renewal of Livestock Grazing Permits # 051715 for C Lazy U on Allotment # 07501 (C Lazy U), # 051758 for Eddie Linke on Allotment 07529 (Linke), # 051775 for John and Carolyn Hudak Murphy Living Trust on Allotment 07521 (Snider-Murphy), # 051709 for Steve Murphy on Allotment 07532 (Murphy A), # 051745 for Horn Ranches on Allotment 07515 (Horn), # 051701 for Ainsley Ranch on Allotment 07513 (Ainsley), and livestock grazing lease # 051916 for Horn Ranches on Allotment 07778 (Horn Ranches).

LEGAL DESCRIPTION: Kremmling Field Office (KFO) administered land includes all or part of the following:

Allotment 07501 (C Lazy U)
T. 2 N., R. 76 W., Sec. 10, 11, 13-15, 23, 24

Allotment 07529 (Linke)
T. 1 N., R. 77 W., Sec. 7-11, 15, 16

Allotment 07521 (Snider-Murphy)
T. 1 N., R. 76½ W., Sec. 1, 12
T. 1 N., R. 77 W., Sec. 12

Allotment 07532 (Murphy A)
T. 2 N., R. 77 W., Sec. 34
T. 1 N., R. 77 W., Sec. 2, 3

Allotment 07778 (Horn Ranches)
T. 2 N., R. 76 W., Sec. 17-20

Allotment 07515 (Horn)
T. 2 N., R. 77 W., Sec. 23-26

Allotment 07513 (Ainsley)
T. 3 N., R. 77 W., Sec. 35

APPLICANTS: C Lazy U, Eddie Linke, John and Carolyn Murphy Living Trust, Steve Murphy, Horn Ranches, and Ainsley Ranch

DESCRIPTION OF PROPOSED ACTION: The Proposed Action would renew the following livestock grazing permits:

- # 051715 for C Lazy U on Allotment 07501 (C Lazy U),
- # 051758 for Eddie Linke on Allotment 07529 (Linke),
- # 051709 for Steve Murphy on Allotment # 07532 (Murphy A),
- # 051745 for Horn Ranches on Allotment 07515 (Horn),
- # 051701 for Ainsley Ranch on Allotment 07513 (Ainsley),

and livestock grazing lease # 051916 for Horn Ranches on Allotment 07778 (Horn Ranches).

These permits and lease expire on February 28, 2009. The permittees and lessee have applied to have their permits and lease renewed. Implementation of the Proposed Action would renew these permits and lease for ten years beginning on March 1, 2009.

These permits and lease would be renewed for 10 years with no changes to the number or kind of livestock, season of use, or amount of livestock grazing preference expressed in AUMs*.

* AUM = animal unit month = the amount of forage needed to sustain one cow and her calf for one month.

The renewed permits and lease would authorize livestock grazing to the following extent:

Allotment	Livestock Number Kind		Season of Use	Percent Public Land	AUMs
07501 (C Lazy U)	145	Horse	06/15 – 07/24	55	105
	85	Horse	08/15 – 10/15	70	121
07529 (Linke)	48	Cattle	06/01 – 09/15	52	88
07521 (Snider-Murhpy)	44	Cattle	06/01 – 06/30	100	43
07532 (Murphy A)	50	Cattle	07/01 – 09/15	16	20
07513 (Ainsley)	5	Cattle	07/01 – 09/30	20	3
07515 (Horn)	60	Cattle	05/26 – 06/25	100	61
07778 (Horn Ranches)	111	Cattle	05/25 – 06/30	100	135

Allotment 07501 (C Lazy U) is a maintain category “M” allotment. The allotment consists of 2167 total acres of which 1175 acres are BLM administered land that is rated as 55% public land. The allotment is mostly used as a night use only pasture for horses. The horses are removed from the allotment during the day and used for trail rides by the guests of the C Lazy U Ranch. The allotment was assessed for compliance with the Standards for Public Land Health in Colorado (Standards) on August 14, 1999. An interdisciplinary (ID) team from the Kremmling Field Office determined that the allotment was in compliance with the Standards. Since that determination, there have been no changes to the livestock grazing on the allotment and there are no known issues or concerns associated with the allotment.

Allotment 07529 (Linke) is a custodial category “C” allotment with 2640 total acres of which 1360 acres is BLM administered land. The allotment is comprised of 52% public land. Most of the BLM administered land in this allotment is either heavily timbered or contains steep slopes, so the BLM portion of this allotment receives limited livestock use. Since the allotment is a category “C” allotment with no known issues or concerns, it has not been assessed for compliance with the Standards. The allotment, however, was monitored in 2008 and no issues or concerns were identified.

Allotment 07521 (Snider-Murphy) is a common allotment with two livestock grazing permittees. It contains 437 acres of BLM administered land and is 100% public land. The allotment is a category “C” allotment. There is considerable development surrounding the allotment and it contains Greater sage-grouse habitat. For these reasons, it was assessed for compliance with the Standards by the Kremmling Field Office ID team on June 17, 2004. It was determined that the allotment is in compliance with the Standards.

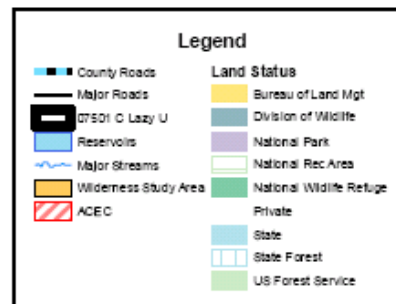
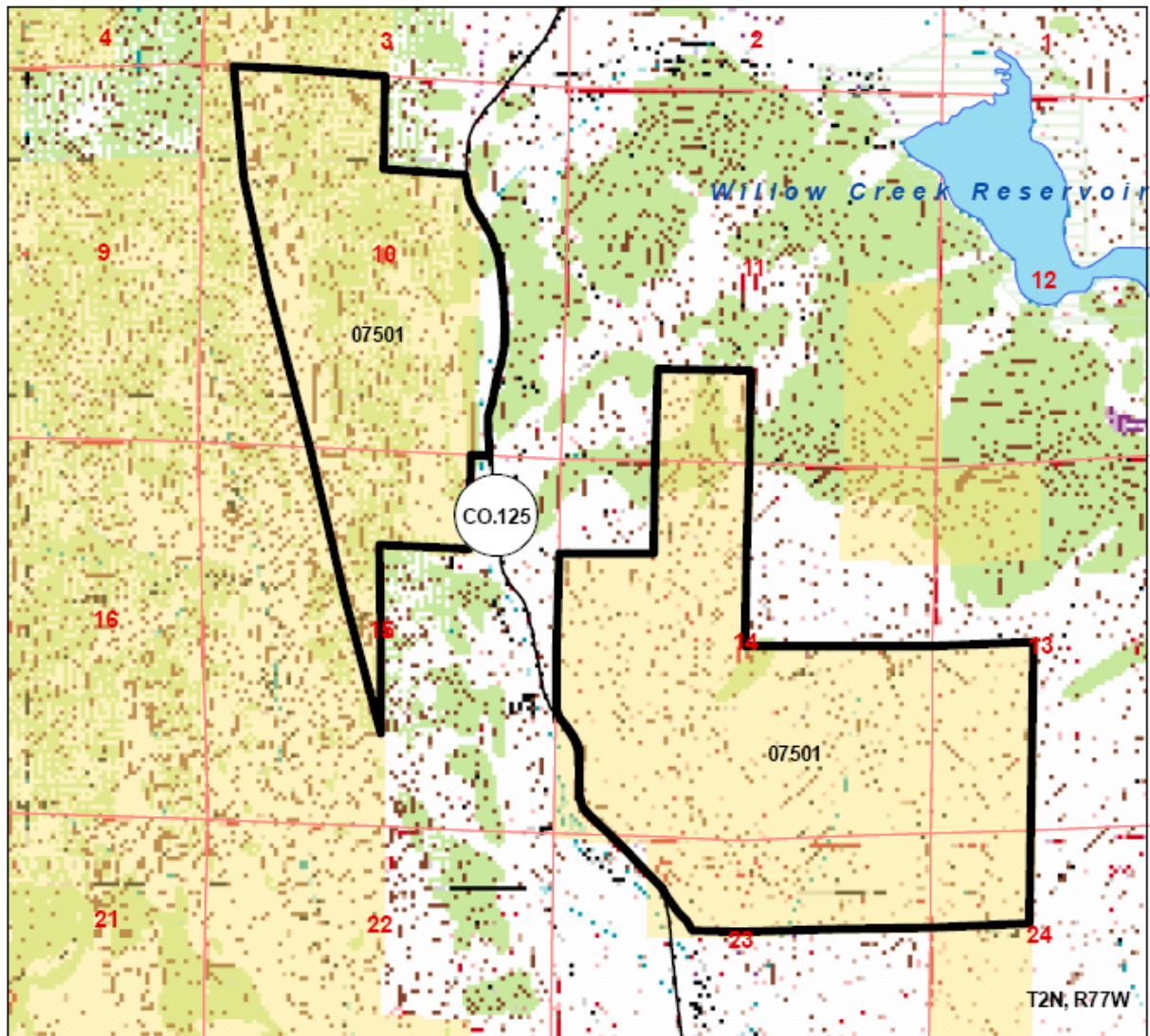
Allotment 07532 (Murphy A) is a category “C” allotment with 1003 total acres of which 403 acres is BLM administered land. The allotment is only 16% public land. The BLM administered land consists of very steep slopes on Mt Chauncey that receives little or no livestock use. The allotment has not been assessed for compliance with the Standards. There are no known issues or concerns with this allotment.

Allotment 07513 (Ainsley) is a small category “C” allotment that contains 40 acres and is surrounded by private land. The allotment has not been assessed for compliance with the Standards. The allotment, however, was monitored in 2008 and no issues or concerns were identified.

Allotments 07515 (Horn) and 07778 (Horn Ranches) are both grazed by the Horn Ranch. Allotment 07515 (Horn) is a category “C” allotment that contains 320 acres of BLM administered land. Allotment 07778 (Horn Ranches) is also a category “C” allotment, and it contains 3478 total acres with 878 acres of BLM administered land. Since these allotments are category “C” allotments they have not been assessed for compliance with the Standards. Both allotments were monitored in 2008 and no issues or concerns were identified.



07501 C Lazy U



0 0.15 0.3 0.6 Miles

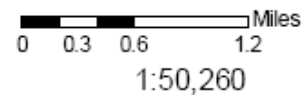
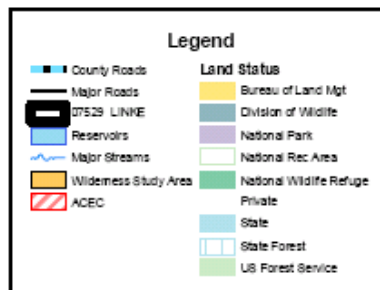
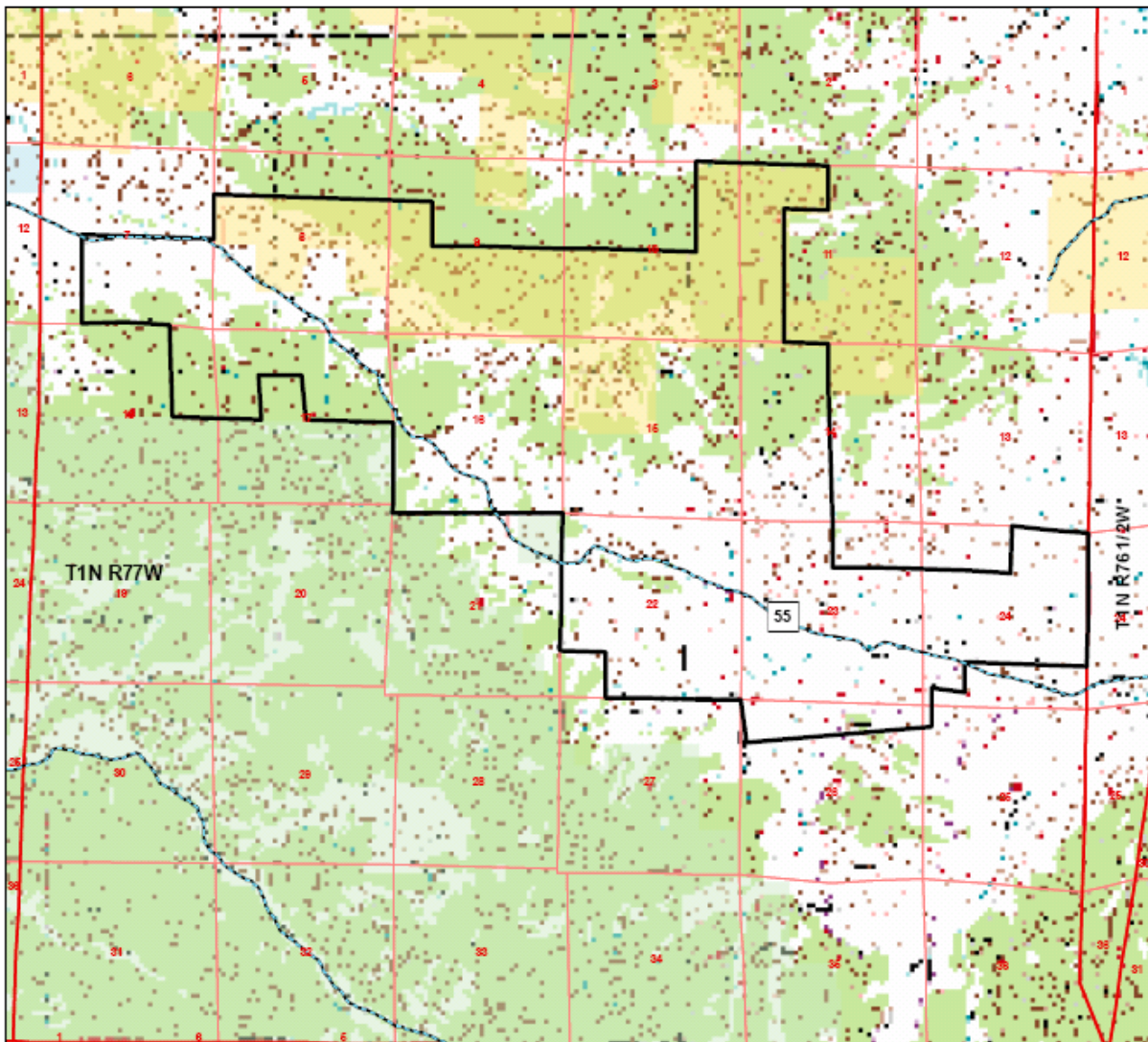
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No Warranty is made by the Bureau of Land Management as to the Accuracy, Reliability, or Completeness of this Data for Individual Use or Aggregate Use with Other Data.

Maps: Granby, Hot Sulphur Springs, Cabin Creek, Trail Mountain BLM, Kremmling FO 02/03/2009



07529 LINKE

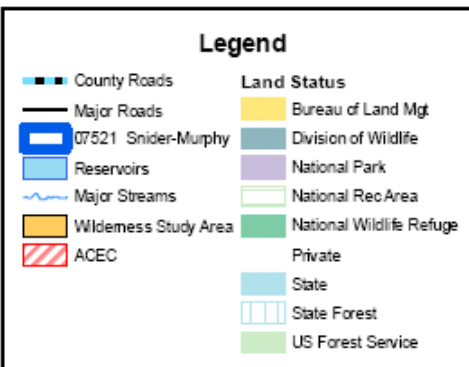
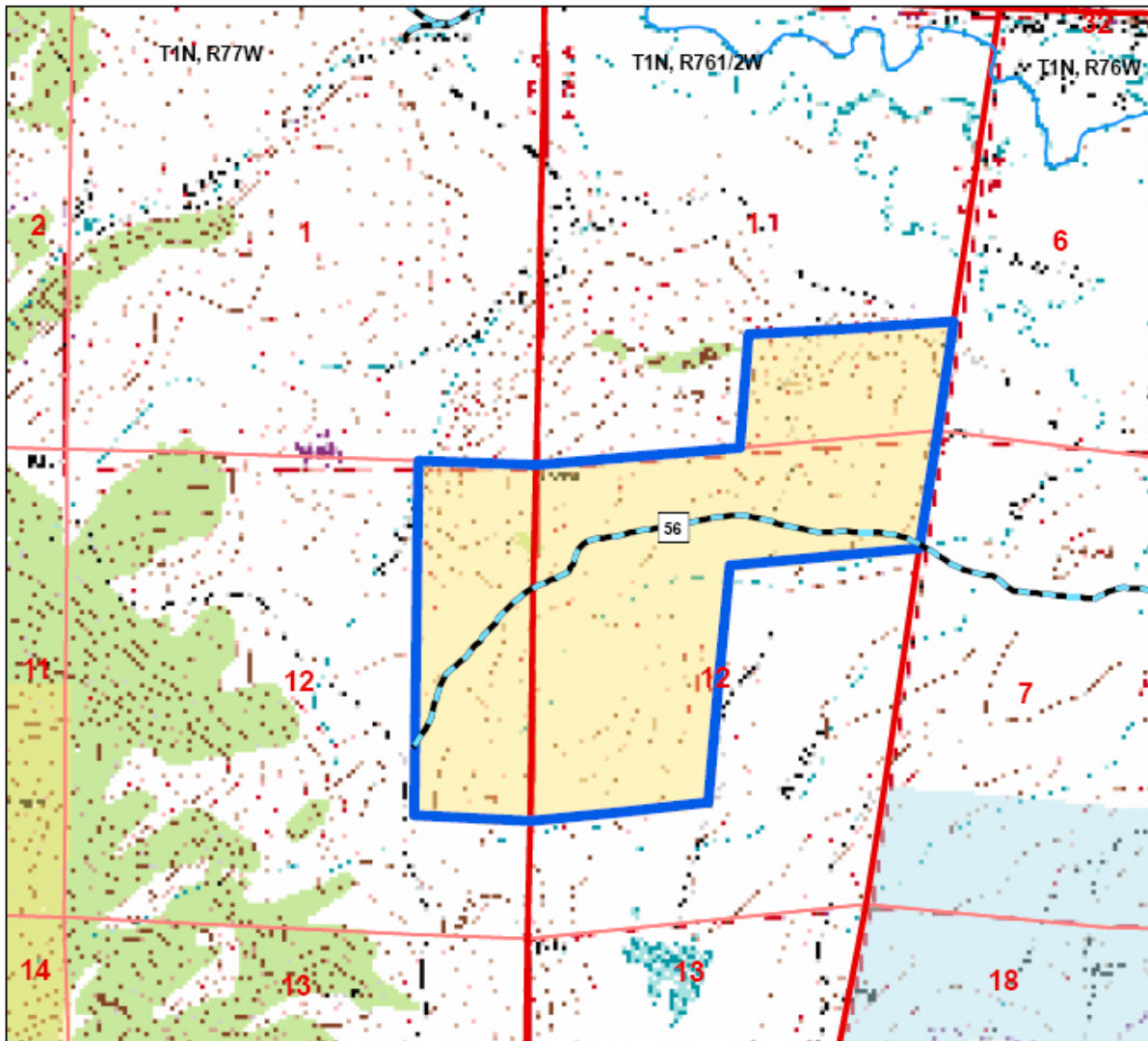


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Maps: Granby, Hot Sulphur Springs BLM, Kremmling FO 10/28/2008



07521 SNIDER-MURPHY



0 0.125 0.25 0.5 Miles

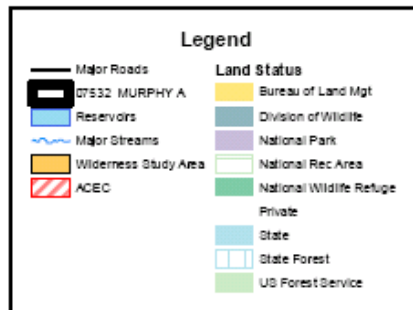
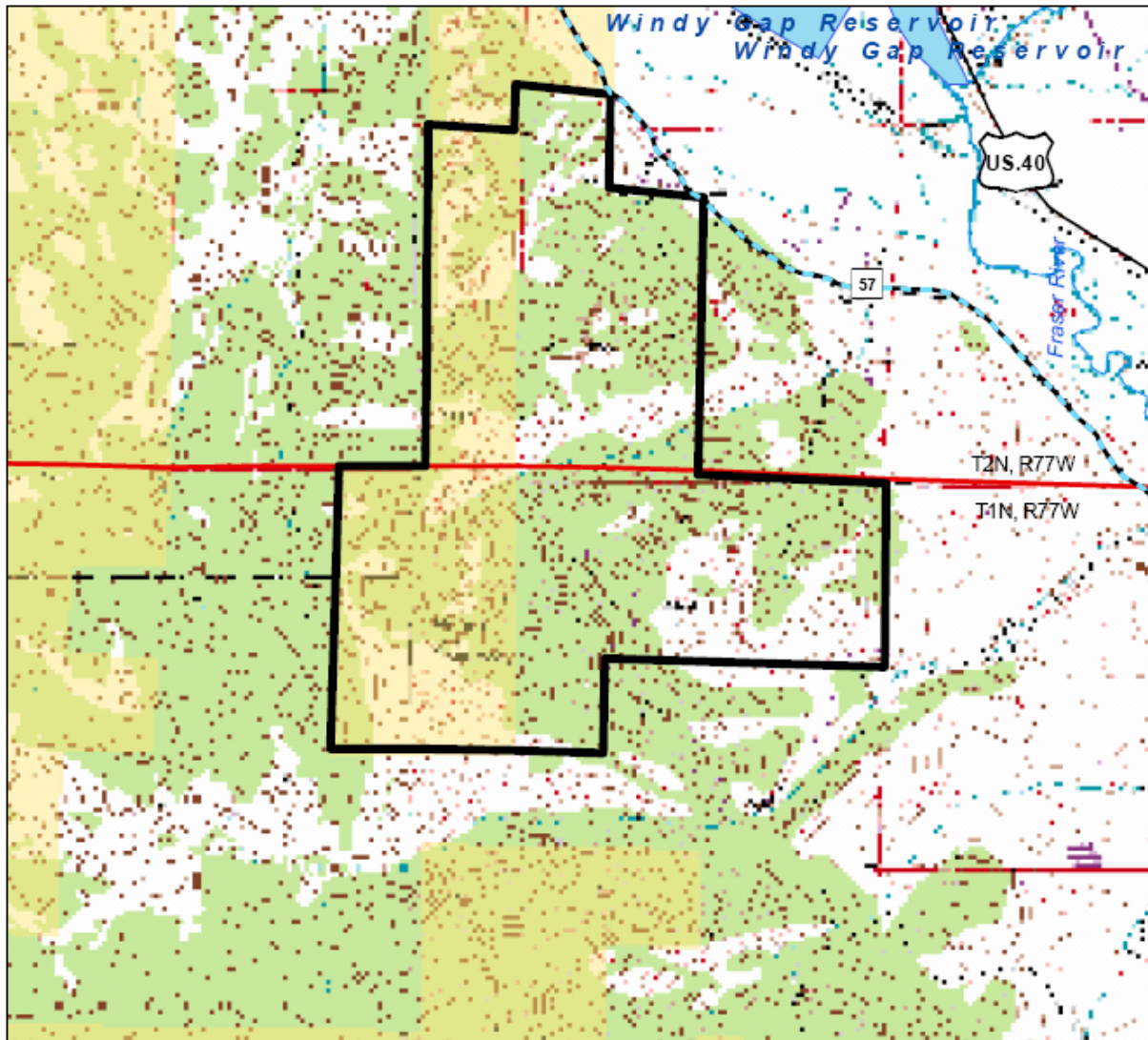
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Maps: Granby
BLM, Kremmling FO 12/09/2008



07532 MURPHY A



0 0.15 0.3 0.6 Miles

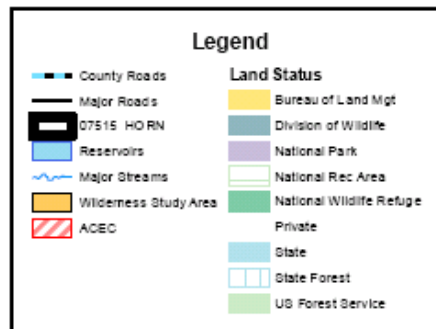
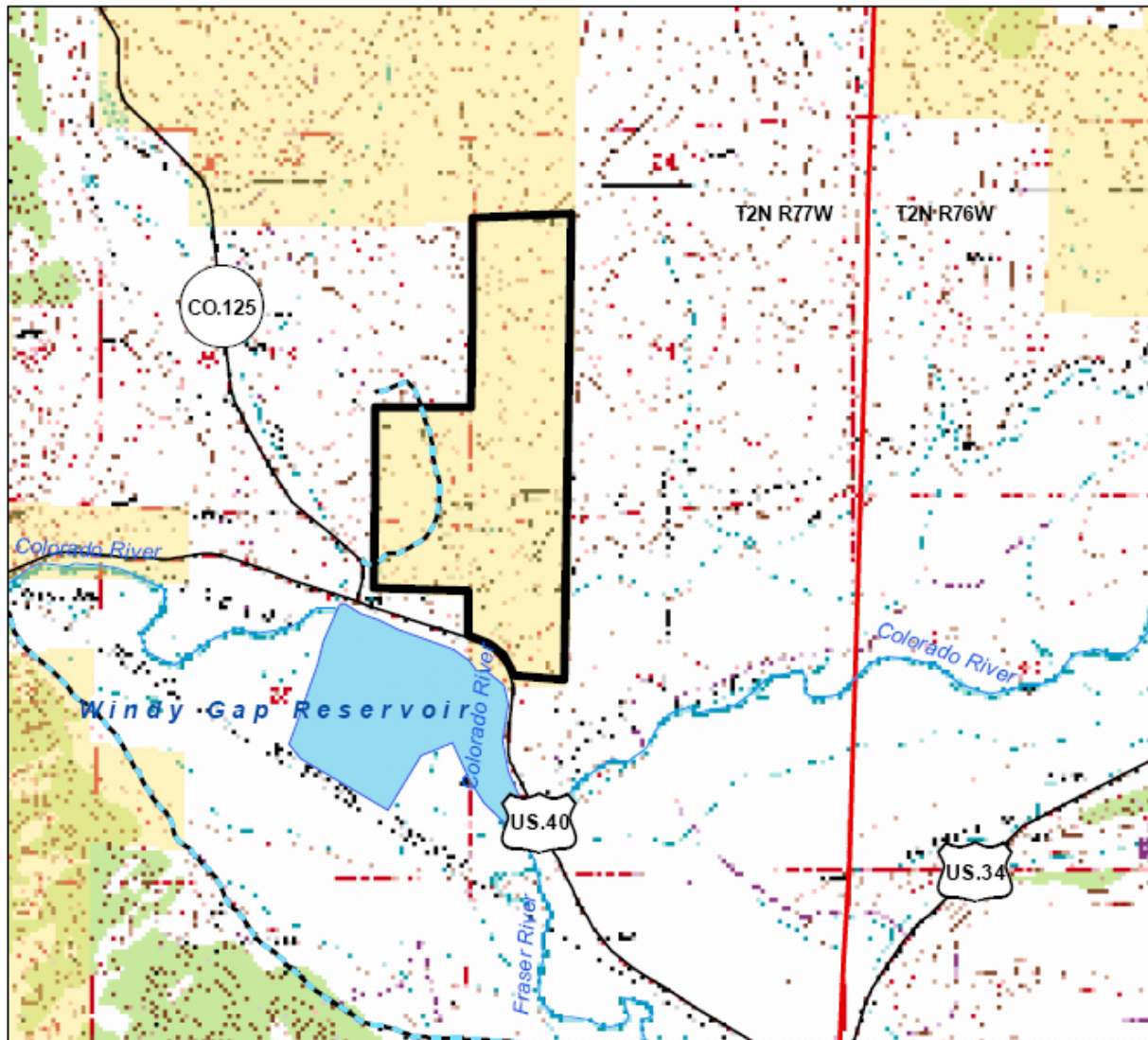
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Maps: Hot Sulphur Springs, Granby BLM, Kremmling FO 10/22/2008



07515 HORN



Miles
0.05 0.1 0.2

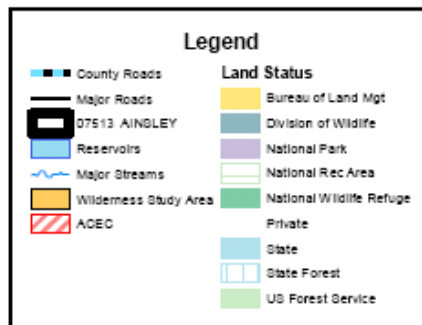
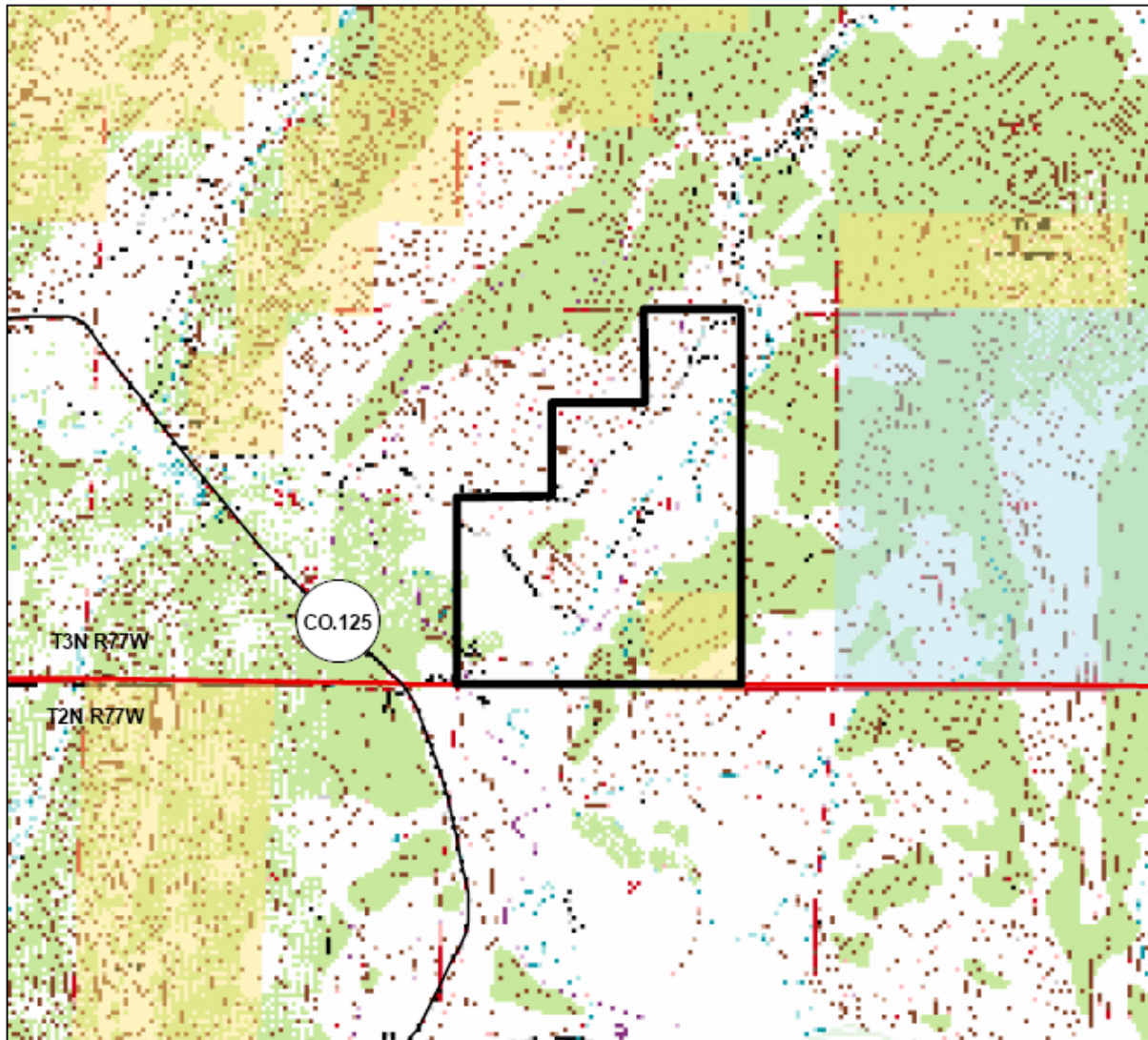
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Maps: Granby, Trail Mountain BLM, Kremmling FO 10/31/2008



07513 AINSLEY



0 0.1 0.2 0.4 Miles

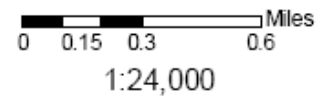
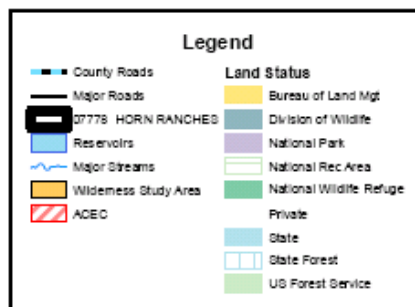
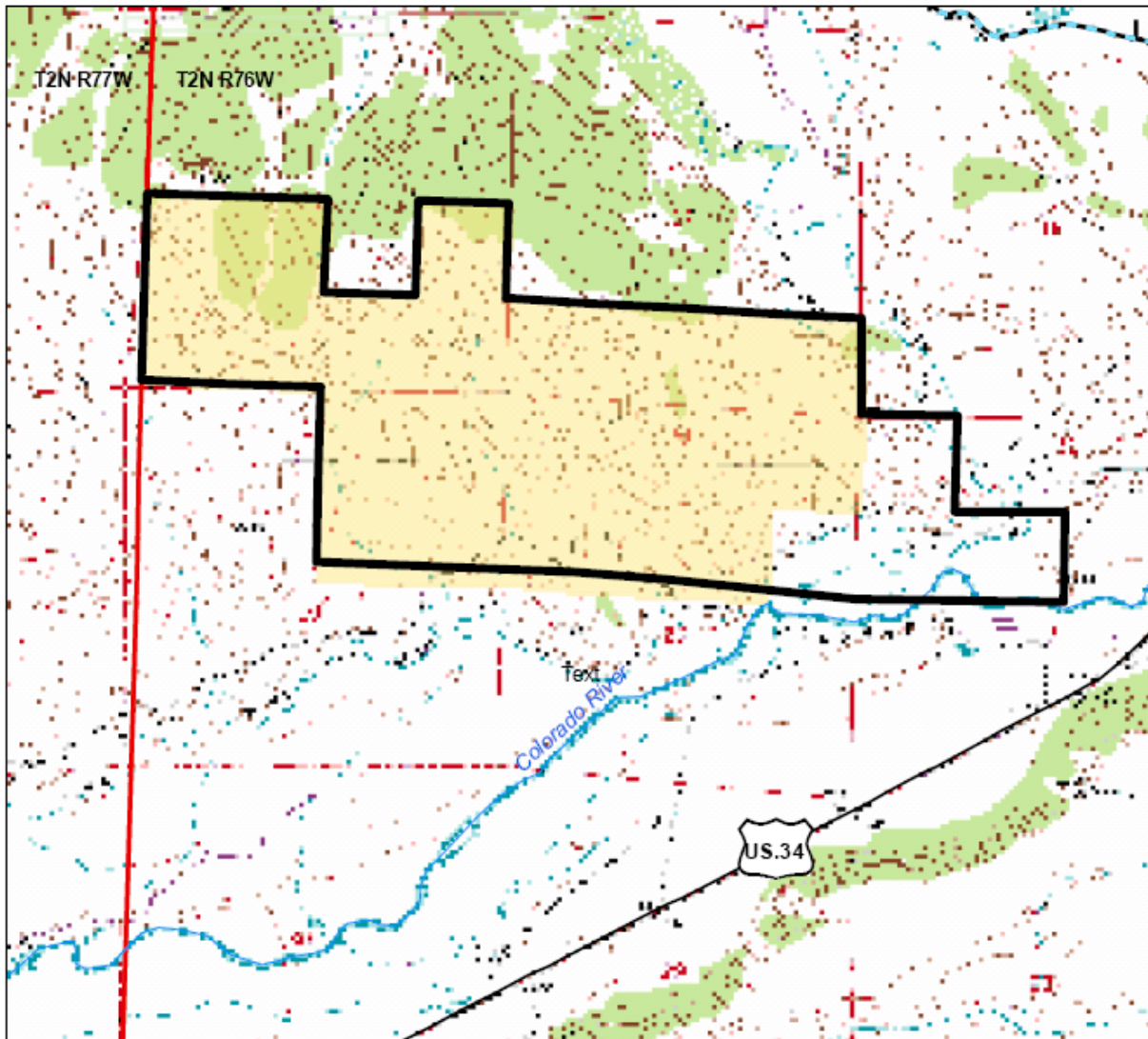
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Maps: Trail Mountain, Cabin Creek BLM, Kremmling FO 10/28/2008



07778 HORN RANCHES



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Maps: Granby, Trail Mountain BLM, Kremmling FO 10/31/2008

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

Decision Number/Page: Livestock Grazing: pages 6 and 8, as revised

Decision Language: Objectives of the RMP/ROD include allocation of a base level of livestock forage and maintaining or improving forage production and condition in areas where livestock grazing is a priority or is compatible with the land use priority. The RMP designated the project areas with a livestock grazing, wildlife, cultural, forest products or no priorities. The proposed action is compatible with these designations.

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 11, Number: (D) (11) (a) (1-3), “(1) the same kind of livestock is grazed, (2) the active use previously authorized is not exceeded, and (3) grazing does not occur more than 14 days earlier or later than as specified on the previous permit/lease.” None of the following extraordinary circumstances in 516 DM 2, Appendix 2, apply.

Extraordinary Circumstances	Yes	No
2.1 Have significant impacts on public health or safety		X
2.2 Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		X
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)].		X
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
2.7 Have significant impacts on properties listed, or eligible for listing, on the National Register of historic Places as determined by either the bureau or office.		X
2.8 Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have		X

significant impacts on designated Critical Habitat for these species.		
2.9 Violate a Federal Law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
2.11 Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		X
2.12 Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		X

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility	Date Review Completed
Bill B. Wyatt	Archaeologist	Cultural Resources/Tribal Consultation	1/20/2009
Megan McGuire	Wildlife Biologist	Wildlife, T/E, and Sensitive Species	1/21/09
Paula Belcher	Hydrologist	Soil, Water, Air, and Riparian	2/25/09
Frank Rupp	Paleontologist	Paleontology	3/2/09
Susan Cassel	Asst. Field Manager	NEPA	3/3/09

REMARKS:

Cultural Resources: Past actions have resulted in a cultural resource inventory to determine if those actions would cause potential adverse affects to known and unknown cultural resource sites from livestock grazing, motorized travel, and recreational use. When project undertakings are identified, a cultural resource inventory would be conducted to determine if sites are present and their eligibility, project effects, and mitigation requirements if necessary.

Native American Religious Concerns: Consultation was completed on the original allotment renewal. Future undertakings would require tribal consultation to identify traditional cultural properties.

Threatened and Endangered Species: The proposed permit renewal would not impact Endangered, Threatened, or Sensitive Species.

Paleontology: No impacts to fossil resources from renewing permit, or the no action alternative. Proposed ground disturbing projects will be reviewed on a project by project basis to determine the need for paleontological inventory.

COMPLIANCE PLAN: Compliance with the renewed livestock grazing permit and its associated terms and conditions would be accomplished through the Kremmling Field Office Range Management Program. Livestock grazing would be monitored by the range staff and other area personnel, as appropriate, to ensure compliance. The Kremmling Field Office Range Monitoring Plan would be used to schedule periodic utilization checks, collect trend data, and evaluate allotment condition. When activity plans have been developed covering an allotment, monitoring methods and schedules included in them would be applied to the allotment. Changes would be made to the permit, based on monitoring, when changes are determined necessary to protect land health.

NAME OF PREPARER: Richard Johnson

NAME OF ENVIRONMENTAL COORDINATOR: Susan Cassel

DATE: 3/2/09

ATTACHMENTS:

- 1) The following Livestock grazing permits/lease with standard terms and conditions:
 - # 051715 C Lazy U, # 051758 Eddie Linke,
 - 051775 (John and Carolyn Murphy Living Trust),
 - # 051709 Steve Murphy,
 - # 051916 and # 051745 Horn Ranches,
 - # 051701 Ainsley Ranch

DECISION AND RATIONALE: I have reviewed this CER and have decided to implement the proposed action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an extraordinary circumstance and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Peter McFadden

DATE SIGNED: 3/3/09